

REMARKS

Claims 1-6 and 9-37 are pending in the present application. By this reply, claims 7 and 8 have been cancelled and new claims 32-37 have been added. Claims 1, 11, 19, 26, and 28-29 are independent.

35 U.S.C. § 103 Rejection

Claims 1-14, 19-21 and 25-30 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Maniwa (U.S. Patent 5,764,866) in view of Blumberg (U.S. Patent 6,708,309). Claim 31 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Maniwa '866 in view of Blumberg '309 and further in view of Ferguson et al. (U.S. Patent 6,237,011). Claims 11, 14-19 and 21-24 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Maniwa et al. (U.S. Patent 5,768,483) in view of Blumberg. These rejections, insofar as they pertain to the presently pending claims, are respectfully traversed.

Regarding independent claim 1 and similarly recited other independent claims 11, 19, 26, 28 and 29, the Examiner correctly acknowledges that Maniwa '866 and Maniwa et al. '483 fail to teach or suggest that the metadata also includes data (or application selector code in some claims) for selecting a certain further processing of the scan data in the image server and data for directing the selected further processing of the scan data in the image server, as recited in independent claim 1 (and similarly in other independent claims).

To overcome these deficiencies, the Examiner further relies on Blumberg. However, Blumberg is directed to separating an image (picture) from a text portion of a document, and separately storing the image file (containing only the separated image) and the image-less document (e.g., text only), so that the image-less document can be transmitted to a client computer via the Internet more quickly. Also, the client can selectively view only a certain portion of the image at the client's request. Because the image is separated from the document and only the needed portion of the image is sent to the client, the transmission of the image file (picture file) to the client is done quickly over the Internet without undue delay caused by the transmission of a large image (picture) file. This Blumberg system is then completely different from Applicants' system which does not involve separation of scan data.

The Examiner also points to column 10, lines 18-26 of Blumberg to specifically support his allegation that Blumberg teaches the metadata that includes data for selecting a certain further processing of the scan data and data for directing the selected further processing of the scan data as recited. However, this portion of Blumberg is directed to generating a multi-resolution tiled (MRT) image file such as a FlashPix file. Once the picture is scanned, eight different resolution layers as discussed at column 9, lines 20-34 of Blumberg are generated and upon the client's request, an appropriate resolution layer among the eight layers can be selected and transmitted to the client computer via the Internet. However, in using such FlashPix file which may include metadata, the image server merely sends the requested tiles (portions of the image) to the client and leaves it up to the client to stitch the tiles together and resize, e.g. see column 11, lines 10-21 of Blumberg. In other words, it is the image server in Blumberg that transmits the scan data file to a client computer so that the client computer (and not the image server) composes an image using the image file. Thus, in Blumberg, there is no metadata which includes "data for selecting a certain further processing of the scan data in an image server and data for directing said selected further processing of the scan data in the image server" as required by independent claim 1. Other independent claims recite similar features in a varying scope.

Thus, even if the references were combinable, assuming *arguendo*, the combination of references would still fail to teach or suggest the above-noted feature recited in each of independent claims 1, 11, 19, 26, 28 and 29. Also, Ferguson et al. does not overcome these deficiencies in the combination of the applied references.

Accordingly, the rejections are improper, and the independent claims and their dependent claims (due to dependency) are patentable over the applied references.

New Claims

New claims 32-37 further define the additional distinguishing features of the present invention over the prior art of record. For instance, these new claims 32-37 emphasize that Applicants' scanned document is not limited to an image or a picture (as in Blumberg), and includes texts.

CONCLUSION

In view of the above clarifying amendments and remarks, the rejections are overcome, and the application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Reg. No. 40,953) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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